

### **REMARKS**

This responds to the Office Action mailed on March 8, 2004.

Claims 5, 29, 32, 34, 38, 40, 42, 44, 48, 50, 52, 56, 57, and 67 are amended, no claims are canceled, and no claims are added; as a result, claims 5-8 and 29-71 are now pending in this application.

### **§103 Rejection of the Claims**

Claims 5-8 and 29-71 were rejected under 35 USC § 103(a) as being unpatentable over Katayama et al. (U.S. Patent No. 5,875,452) in view of Rosich et al. (U.S. Patent No. 5,587,964). Applicant respectfully traverses this rejection and submits that independent claims 5, 29, 32, 34, 38, 40, 42, 44, 48, 50, 52, 56, 57 and 67, as amended herein, are patentably distinct over the cited references, whether taken alone or in any combination.

Applicant maintains its right to swear behind the cited references in this rejection, and statements distinguishing the claimed subject matter over the cited documents are not to be interpreted as admissions that the documents are prior art.

The outstanding office action in section 3 especially directs attention to Katayama's figure 9, and states that the reference teaches a "unidirectional command and address bus" in the third paragraph of section 3, and then states in the fifth paragraph of section 3 (on page 3) that the reference teaches "bus 18 comprises, in part, a control bus and an address bus". Applicant respectfully submits that if bus 18 is to be identified as part of the command and address bus, then the reference fails to disclose at least the feature of the independent claims of a unidirectional command and address bus, because bus 18 in Katayama's figure 9 and in Katayama's first embodiment shown in figure 2, is a bidirectional bus. This point is further supported by Katayama's discussion at least at column 16, lines 58-59. Further, Applicant can not see how either of the suggested command and address buses are directly connected to the plurality of command and address buffers, such as items 131 figure 1 of Applicant's disclosure, and as required by all of the independent claims.

The outstanding office action uses the cited Rosich reference to show a memory device that is compatible with Katayama's memory controller that teaches the missing feature of Katayama of a data in buffer and a data out buffer in each of the plurality of storage arrays. Applicant respectfully submits that even if the suggested combination of references were allowable, the result of the combination still does not describe or suggest all of the combination of features of the present claimed invention. The suggested combination does not contain any teaching that might be seen as curing the deficiencies of the Katayama reference discussed above. In particular, the suggested combination still does not describe or suggest the combination of claimed features of a separate unidirectional command and address bus that is directly connected to each one of the command and address buffers found in the plurality of memory subsystems.

In view of the above noted failure of the suggested combination of references to describe or suggest at least the above noted combination of features of the independent claims, Applicant respectfully requests that this rejection be withdrawn. The dependent claims are seen as being in patentable condition at least as depending upon independent claims shown above to be patentable over the suggested combination of references, and therefore the rejection of the dependent claim should be withdrawn.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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Date

30 July '04

By

  
Timothy B Clise

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30 day of July, 2004.

Name

Tina Kohut

Signature

